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| FORM PTO 1390<br>(REV 5-93)<br><br>US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br><br>TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. §371   |   | ATTORNEY DOCKET NUMBER<br>2006_1250A                             |
|   |   | U.S. APPLICATION NO.<br>(if known, see 37 CFR 1.5)<br>10/587,863 |
| International Application No.<br>PCT/JP2005/000658  | International Filing Date<br>January 20, 2005 | Priority Date Claimed<br>January 30, 2004                        |
| <b>Title of Invention</b><br>LABELING APPARATUS   |   |  |
| <b>Applicant(s) For DO/EO/US</b><br>Shoji YUYAMA et al.   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19.</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). <i>with cover letter</i></li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).</li> </ol> |   |  |
| <b>Items 11. to 14. below concern other document(s) or information included:</b>  |   |  |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment. <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ul> </li> </ol>   |   |  |
| <ol style="list-style-type: none"> <li>14. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> <li>• Form PCT/IB/338;</li> <li>• International Preliminary Report on Patentability (Form PCT/IB/373);</li> <li>• Written Opinion of the International Searching Authority (Form PCT/ISA/237)</li> </ul> </li> </ol>  |   |  |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>10/587,863  | INTERNATIONAL APPLICATION NO.<br>PCT/JP2005/000658 | ATTORNEY'S DOCKET NO.<br>2006_1250A |
| 15. [X] The following fees are submitted   |  | CALCULATIONS PTO USE ONLY           |
| Basic National Stage Fee ..... \$300.00<br>National Stage Search Fee (International Search Report provided - 37 CFR 1.492(b)(2)) ..... \$400.00<br>National Stage Examination Fee ..... \$200.00<br>Specification/drawings in excess of 100 pages (units of 50 x \$250.00) = ..... \$<br><br><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b><br><br>Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$130.00 |  |                                     |
| Claims   | Number Filed                                       | Number Extra                        |
| Total Claims   | - 20 =   | X \$50.00 \$                        |
| Independent Claims   | - 3 =  | X \$200.00 \$                       |
| Multiple dependent claim(s) (if applicable)  |  | + \$360.00 \$                       |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |  | \$130.00                            |
| [] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.  |  | \$                                  |
| <b>SUBTOTAL =</b>  |  | \$130.00                            |
| Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +   |  | \$                                  |
| <b>TOTAL NATIONAL FEE =</b>  |  | \$130.00                            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +  |  | \$40.00                             |
| <b>TOTAL FEES ENCLOSED =</b>   |  | \$170.00                            |
|  |  | Amount to be refunded \$            |
|  |  | Amount to be charged \$             |

a. [X] A check in the amount of \$170.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.  
 b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
     A duplicate copy of this sheet is enclosed.  
 c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

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| 19. CORRESPONDENCE ADDRESS<br><br>CUSTOMER NO.<br><b>000513</b> | By: <u>Michael S. Huppert</u><br>Michael S. Huppert,<br>Registration No. 40,268<br><br>WENDEROTH, LIND & PONACK, L.L.P.<br>2033 "K" Street, N.W., Suite 800<br>Washington, D.C. 20006-1021<br>Phone:(202) 721-8200<br>Fax:(202) 721-8250<br><br>September 29, 2006<br><br>[CHECK NO. <u>764171</u> ]<br>[2006_1250A] |
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THE COMMISSIONER IS AUTHORIZED  
 TO CHARGE ANY DEFICIENCY IN THE  
 FEES FOR THIS PAPER TO DEPOSIT  
 ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

Shoji YUYAMA et al. :

Serial No. 10/587,863 : Attorney Docket No. 2006\_1250A

Filed July 28, 2006 : **Mail Stop: PCT**

LABELING APPARATUS  
[Corresponding to PCT/JP2005/000658  
Filed January 20, 2005]

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**SUBMISSION OF ENGLISH/JAPANESE  
DECLARATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attached Declaration and Power of Attorney includes both Japanese language text and English language text. The English language text constitutes an accurate translation of the Japanese language text.

Respectfully submitted,

Shoji YUYAMA et al.

By

  
Michael S. Huppert  
Registration No. 40,268  
Attorney for Applicants

MSH/kjf  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
September 29, 2006